

REMARKS

Claims 1 and 13 have been amended. Claims 1-21 remain pending in this application.

Applicants appreciate the Examiner's thorough review of this application, and respectfully request reconsideration in light of the following remarks.

Claim Rejections under 35 U.S.C. §102

Claims 1-21 stand rejected under 35 U.S.C. §102 (b) as being anticipated by Fukuda et al. (U.S. Patent No. 6,394,768). This rejection is respectfully traversed.

Fukuda et al. discloses a rotor in a DC brushless fan. The rotor has a rotor yoke and a magnet fixed thereto, and a shaft is bound to the rotor yoke in its central portion. The rotor yoke surrounds the periphery of a stator and is rotatively supported by a bearing device. However, referring to FIG. 1b of Fukuda et al, though the rotor yoke has a raised portion in its central portion to create a stepped formation on the outside (upper top portion) of the rotor yoke, the raised portion reduces the inner space of the rotor yoke and thus fails to provide additional space for accommodating the permanent magnet and coil of a fan motor.

Applicants wish to direct the Examiner's attention to MPEP §2131 which states that to anticipate a claim, the reference must teach every element of the claim. "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." (*Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987)). "The identical invention must be shown in as complete detail as is contained in the ... claim." (*Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989)).

By way of the present Amendment, the raised portion creates a falling height on the inner side of the closed end of the housing to construct a thin motor structure easily without decreasing the space provided for permanent magnet and coil of a fan motor. The space created by the raised portion means that more room is available for the magnet and coil, whereas the raised portion of the rotor yoke disclosed by Fukuda et al. is unable to provide

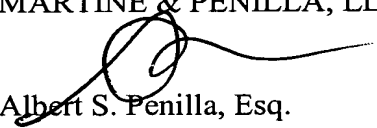
the extra space. Accordingly, for at least this reason, the Fukuda et al. reference does not disclose each and every feature specified in the amended independent claims 1 and 13.

Accordingly, independent claims 1 and 13 are submitted to be patentable over Fukuda et al. Claims 2-12 and 14-21, which respectively depend from independent claims 1 and 13, are also submitted to be patentable over Fukuda et al. The Examiner is respectfully requested to withdraw the Section 102 rejection.

In view of the foregoing, Applicants respectfully submit that the claims are in condition for allowance, and therefore, a notice of allowance is respectfully requested.

If the Examiner has any questions concerning the present amendment, the Examiner is kindly requested to contact the undersigned at (408) 749-6903. If any other fees are due in connection with filing this amendment, the Commissioner is also authorized to charge Deposit Account No. 50-0805 (Order No JLINP165). A duplicate copy of the transmittal is enclosed for this purpose.

Respectfully submitted,
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